

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

LIGHT FIELD LAB,

Plaintiff,

vs.

ALAN JONES,

Defendant.

CASE NO. 4:23-cv-05344-YGR

**ORDER GRANTING MOTION TO DISMISS
FOR LACK OF SUBJECT MATTER
JURISDICTION**

Re: Dkt. Nos. 31, 32

Pending before the Court are a motion to dismiss for lack of subject matter jurisdiction and a special motion to strike. *See* Docket Nos. 31, 32. In the first motion, defendant Alan Jones argues that the Court lacks subject matter jurisdiction over the single claim asserted in the complaint, which is for a declaratory judgment under the Declaratory Judgment Act (“DJA”). Docket No. 32. On April 19, 2024, the Court issued an order in which it tentatively granted the motion to dismiss for lack of subject matter of jurisdiction on the ground that plaintiff Light Field Lab had failed to meet its burden to establish that its declaratory judgment claim satisfies the case or controversy requirement of the DJA. Docket No. 55. The Court permitted plaintiff to file by May 3, 2024, a supplemental brief showing that its declaratory judgment claim is justiciable. *See id.* The Court’s order further stated that, to the extent that plaintiff takes the position that the deficiencies discussed in the April 19 order can be cured by amending the complaint, plaintiff shall specify how and why in its supplemental brief, and it shall include citations to supporting authority. *See id.*


On May 3, 2024, plaintiff filed a statement that it “no longer needs” a declaratory judgment and that it has “elected not to amend” its complaint to show that its claim for a declaratory judgment is justiciable. *See* Docket No. 56. Plaintiff does not dispute the Court’s findings and conclusion that its declaratory judgment claim, as presently pleaded, does not satisfy the case or controversy requirement of the DJA. *See id.*

Because plaintiff has not shown that its claim for a declaratory judgment satisfies the DJA’s case or controversy requirement, the Court **GRANTS** defendant’s motion to dismiss that claim for lack of subject matter jurisdiction for the reasons set forth in its order of April 19, 2024. The Court **DENIES AS MOOT** defendant’s special motion to strike.

This order terminates docket numbers 31 and 32. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: May 8, 2024


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE